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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of :
Takashi NIWA et al. :
Serial No. 09/872,800 : Group Art Unit: 2651
Filed: June 1, 2001 :

For: METHOD FOR FORMING APER- :
TURE, NEAR FIELD OPTICAL :
HEAD AND METHOD FOR :
FABRICATING THE SAME AND :
INFORMATION RECORDING/ :
READING APPARATUS : Docket No. S004-4309

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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Attention: Box Missing Parts

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NON-PROVISIONAL APPLICATION**

S I R:

On August 2, 2001, the PTO issued a Notice To File Missing Parts Of Nonprovisional Application ("Notice") advising that the application was filed without a declaration and providing a two-month period in which to submit the declaration and surcharge for late filing thereof.

In response to the PTO Notice, a duly signed declaration is submitted herewith together with a check in the sum of \$130.00 to cover the required surcharge for the late

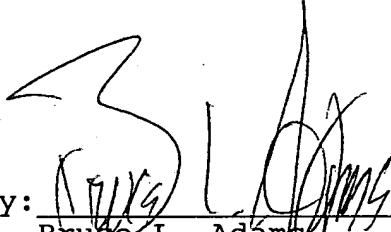
**MAILING CERTIFICATE ON
LAST PAGE**

filing of the declaration. Also submitted is a copy of the PTO Notice. Should the check prove insufficient for any reason, authorization is hereby given to charge any such deficiency to Deposit Account No. 01-0268.

It is respectfully requested that the processing of the application be completed, and that the filing receipt be issued in due course.

Respectfully submitted,

ADAMS & WILKS
Attorneys for Applicants

By: 
Bruce L. Adams

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, D.C. 20231, on the date indicated below.


Bruce L. Adams

Attorney Name


Signature

August 7, 2001

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,800	06/02/2001	Takashi Niwa	S004-4309

AUG 10 2001



ADAMS & WILKS
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50 BROADWAY
NEW YORK, NY 10004

CONFIRMATION NO. 4146

FORMALITIES LETTER



OC000000006372229

Date Mailed: 08/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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